

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

KITCHEN WINNERS NY INC.,

*Plaintiff,*

-against-

ROCK FINTEK LLC,

*Defendant.*

Civil Action No. 22-cv-05276-PAE

**NOTICE OF MOTION**

ROCK FINTEK LLC,

*Counterclaim/Third  
Party-Plaintiff,*

-against-

KITCHEN WINNERS NY INC.,

*Counterclaim-  
Defendant,*

and

ADORAMA INC., HERSHEY WEINER, JOSEPH  
MENDLOWITZ, JNS CAPITAL HOLDINGS LLC  
and JOEL STERN,

*Third-Party  
Defendants.*

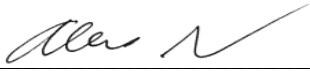
**PLEASE TAKE NOTICE** that upon the Declaration of Alexander J. Sperber, dated February 16, 2024, and the exhibits annexed thereto; Affidavit of Joseph Weiner, dated February 16, 2024; the Rule 56.1 Statement of Undisputed Material Facts, dated February 16, 2024; and upon the accompanying Memorandum of Law; and upon all prior pleadings and proceedings in this action, Third-Party Defendants Joseph Mendlowitz (“Mendlowitz”) and Adorama Inc.

(“Adorama”), will move this Court, before the Honorable Paul A. Engelmayer, at the United States District Court, Southern District of New York, 40 Foley Square, Courtroom 1305, New York, NY 10007, on a date, time and place to be set by the Court, for an Order, pursuant to FRCP 56:

- (a) Granting summary judgment in favor of Mendlowitz and Adorama dismissing Defendant/Counterclaim and Third-Party Plaintiff Rock Fintek LLC’s (“Rock Fintek”) Third-Party Complaint against them; and
- (b) Granting such other and further relief as the Court deems just and proper.

Dated: Kew Gardens, New York  
February 16, 2024

**LIPSIUS-BENHAIM LAW, LLP**  
*Attorneys for Adorama Inc. and Joseph Mendlowitz*

By:   
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Alexander J. Sperber, Esq.  
Yisroel Steinberg, Esq.  
80-02 Kew Gardens Road, Suite 1030  
Kew Gardens, NY 11415  
Tel: (212) 981-8440  
[asperber@lipsiuslaw.com](mailto:asperber@lipsiuslaw.com)  
[ysteinberg@lipsiuslaw.com](mailto:ysteinberg@lipsiuslaw.com)